

REMARKS

The non-final Office Action of November 7, 2005 has been received and carefully reviewed. In response, claims 1, 3, 7, 8, 12, and 17 have been amended. Reconsideration of pending claims 1-3, 5-10, and 12-20 is respectfully requested in view of the above amendments and the following remarks.

I. REJECTION OF CLAIMS 1-3, 5-7, 12, 13, 17, AND 18 UNDER 35 U.S.C. §103

Claims 1-3, 5-7, 12, 13, 17, and 18 were rejected under 35 U.S.C. §103 as being obvious in view of U.S. Application Publication No. US 2003/0083067 to Hanson in view of U.S. Application Publication No. US 2004/0097220 to McGregor. Reconsideration and withdrawal of these claim rejections is respectfully requested for at least the following reasons. Independent claims 1, 12, and 17 have been amended above, whereby claims 1-3 and 5-7 provide methods for displaying a roaming charge rate on a mobile station with a roaming charge rate being communicated to the mobile station upon determining that the roaming charge rate applies to the mobile station or upon the mobile station entering a new roaming area. An example is discussed on page 5 of the specification with respect to Fig. 2. This feature allows the wireless network to determine the roaming charge rate in effect whenever the mobile station enters a visited wireless network, and allows the user to be updated with the current rates when roaming. Independent claim 12 and dependent claim 13 involve methods in which the roaming charge rate is communicated to the mobile station upon determining that the roaming charge rate applies to the mobile station. In addition, independent claim 17 and dependent claim 18 are directed to a wireless network, including means for communicating the roaming charge rate to the mobile station upon determining that the roaming charge rate applies to the mobile station or upon the mobile station entering a new roaming area. ***Neither Hanson nor McGregor teach or suggest communicating a roaming charge rate to a mobile station upon determining that the roaming rate applies to the mobile station or upon the mobile station entering a new roaming area,*** whereby applicants request reconsideration of rejected claims 1-3, 5-7, 12, 13, 17, and 18 as amended above.

Hanson provides a roaming solution for prepay and other roaming customers, in which a roaming solution network system verifies that the prepaid wireless subscriber's account balance is sufficient to place or receive a call, translates the account balance into talk minutes, and monitors the call for talk duration. If the prepaid wireless

subscriber exceeds the available account balance, the system of Hanson tears down the call in the first negative minute and immediately decrements the prepaid subscriber account so as to minimize credit exposure for the service provider (Hanson paragraph [0019]). Importantly, ***no roaming rate is provided to a mobile station in Hanson***. Rather, Hanson describes a Roaming Server 116, a national location register (NLR) 112 and an 800# remote switching unit (RSU) 130 (paragraph [0038]), where a market server 122 provides a maximum call duration to the 800# RSU 130, and the RSU 130 monitors and times the call, which can then be torn down and disconnected when the maximum call duration has been reached (see paragraphs [0049]-[0051], [0053], and [0057] of Hanson). Thus, ***Hanson does not teach or suggest communicating a roaming charge rate to a mobile station***. Furthermore, as acknowledged in the Office Action, ***Hanson does not teach or suggest displaying a roaming charge rate on a display associated with the mobile station***.

McGregor likewise does not teach or suggest communicating a roaming charge rate to a mobile station upon determining that the roaming rate applies to the mobile station or upon the mobile station entering a new roaming area as set forth in the claims. McGregor provides a mobile phone having an internal accounting program with an updatable rate table and a complex billing algorithm for calculating an account status according to multiple rate structure factors that include charges for roaming. The rate table is updated in McGregor by connecting the mobile phone to a processing unit 14 (Fig. 1) or through wireless communications. The rate schedule of McGregor is updated periodically (paragraph [0010]), or during off hours, or when the user applies for an increase in the internal phone account (paragraph [0162]). However, there appears to be ***no teaching or suggestion in McGregor for communicating a roaming charge rate to a mobile station upon determining that the roaming rate applies to the mobile station or upon the mobile station entering a new roaming area***. Furthermore, there is no suggestion or motivation for combining the rate table updating aspects of McGregor with the system of Hanson with respect to the present invention, since the mobile phones of Hanson do not receive or utilize roaming rates. Consequently, ***the proposed combination of Hanson with McGregor fails to teach or suggest each and every element of the pending claims***, whereby reconsideration and withdrawal of the rejection of claims 1-3, 5-7, 12, 13, 17, and 18 is requested under 35 U.S.C. §103.

II. CLAIM OBJECTIONS AND ALLOWABLE SUBJECT MATTER

Claims 8, 14, and 19 were objected to on page 5 of the Office Action as being dependent upon a rejected base claim, but were indicated as being allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants therefore assume that dependent claims 9, 10, 15, 16, and 20 are also allowable as being dependent from one of claims 8, 14, and 19. Applicants respectfully submit, however, that independent claims 1, 12, and 17, as amended above, are patentably distinct from the proposed combination of Hanson with McGregor, and claims 8-10, 14-16, 19, and 20 are thus believed to be in condition for allowance in dependent form, wherein reconsideration and withdrawal of the objections thereof is respectfully requested.

CONCLUSION

In response to the Office Action, claims 1, 3, 7, 8, 12, and 17 have been amended. For at least the above reasons, the currently pending claims are believed to be in condition for allowance and notice thereof is requested.

Should the Examiner feel that a telephone interview would be helpful to facilitate favorable prosecution of the above-identified application, the Examiner is invited to contact the undersigned at the telephone number provided below.

Should any fees be due as a result of the filing of this response, the Commissioner is hereby authorized to charge the Deposit Account Number 06-0308, LUTZ200231.

Respectfully submitted,

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